In the High Court of Punjab and Haryana, Chandigarh.

F.A.O. No. 4569 of 2007 (O&M)

Date of Decision: 17.11.2007

Pepsu Road Transport Corporation, Patiala.

…Appellant

Versus

Joginder Kaur and others

…Respondents

1

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr. Harsh Aggarwal, Advocate
for the appellant.

RAJESH BINDAL, J.

The challenge in the present appeal is to the award of learned Motor Accident Claims Tribunal, Ludhiana, whereby the respondent No.1/claimant No.1 has been awarded a compensation of Rs. 95,000/- on account of death of her brother-in-law (Dewar). The claim petition was accepted for the reason that after the death of his brother (husband of respondent No.1), the deceased was looking after the family and was supporting respondent No.1 (his Bhabhi). The compensation of only Rs. 95,000/- was awarded.

The contention of learned counsel for the appellant is that there was no evidence on record to prove that the deceased was living with the claimants. However, such a plea cannot be accepted simply for the reason that the claimants are admittedly a poor family where the deceased was claimed to be carrying on the job of cycle repairs. It is only the family members who were to support and that is what the deceased was doing. Accordingly, I do not find any illegality has been committed by learned Tribunal in awarding compensation to respondent No.1.

As there is no merit in the appeal, so I do not deem it proper to deal with the application of condonation of delay of 69 days in filing the appeal.

Dismissed.

(Rajesh Bindal)
Judge

November 17, 2007
"DK"